

2018 Apr-18 AM 09:27
U.S. DISTRICT COURT
N.D. OF ALABAMA

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION**

PHAM HOANG DEN,)

Petitioner)

V.

Case No. 4:18-cv-00139-AKK-SGC

KRISTJEN NIELSEN, et al.,)

Respondents

MEMORANDUM OPINION AND ORDER

Before the court is Respondents' Motion to Dismiss Petition as Moot. Doc.

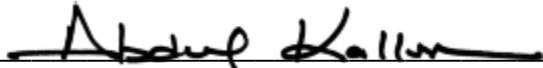
11. Petitioner Den initially filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241, seeking release from detention pending deportation to Vietnam. Doc. 1. Respondents released him from custody on an order of supervision on April 13, 2018, *see* doc. 11-1, and now move to dismiss his habeas petition as moot.

The relief Den sought in his petition was to be released from ICE custody.

Doc. 1. Because Den is no longer in ICE custody, his petition has been rendered moot, and none of the exceptions to the mootness doctrine applies. *See Carafas v. LaVallee*, 391 U.S. 234, 237 (1968); *Murphy v. Hunt*, 455 U.S. 478, 482 (1982). Therefore, because there is no longer any relief that can be granted to Den, his petition is due to be dismissed as moot.

Based on the foregoing, the Respondents' motion to dismiss, doc. 11, is
GRANTED. A separate order will be entered.

DONE the 18th day of April, 2018.



ABDUL K. KALLON
UNITED STATES DISTRICT JUDGE